

Hon. Christopher Alston
Chapter 7
Hearing: August 9, 2019, 9:30 a.m.
Seattle
Response due: August 2, 2019

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

IN RE:

ANDREW L. TURNER,

Debtor.

NO. 19-12054

DECLARATION OF ALAN J.
WENOKUR IN SUPPORT OF
MOTION FOR SANCTIONS

ALAN J. WENOKUR declares under penalty of perjury under all applicable laws as follows:

1. I am a member of Wenokur Riordan PLLC, and attorney for the Debtor Andrew Turner in this matter. I make this statement from my personal knowledge.
2. Mr. Turner filed his Chapter 7 case on May 31, 2019.
3. Prior to his bankruptcy filing, Mr. Turner's paychecks were being garnished by judgment creditor Anthony Tabatznik. Mr. Tabatznik has at least three attorneys working on the Turner matter: Joseph Calao, in New York City; Mark Goodman, in St. Louis, Missouri; and Craig Sweeney, in Marietta, Ohio. The wage garnishment was commenced in Ohio (where Mr. Turner's employer is

DECLARATION OF ALAN J. WENOKUR - Page 1 of 3

WENOKUR RIORDAN PLLC
ATTORNEYS AT LAW
600 STEWART STREET, SUITE 1300
SEATTLE, WASHINGTON 98101
206.682.6224 (WENOKUR)
206.903.0401 (RIORDAN)

1 located) following registration of a New York judgment. All three attorneys, as well as Mr. Tabatznik
2 (a resident of the UK) directly, are listed on the bankruptcy schedules.

3 4. On June 4, 2019, I sent an email to Mr. Calao, copy to Mr. Goodman, advising of the
4 bankruptcy filing and that any wage garnishment must be released. A copy is attached as Exhibit A.

5 5. On June 7, 2019, Mr. Turner's paycheck was issued but with \$2,543.57 deducted for a wage
6 garnishment. Exhibit B.

7 6. On June 10, 2019, I emailed Mr. Calao and Mr. Goodman to advise that the postpetition
8 garnishment was improper and the funds needed to be immediately returned to Mr. Turner. Exhibit C.
9 Mr. Goodman responded right away, advising that he was contacting local counsel to take action.

10 7. Mr. Goodman then emailed me on June 11, asking me to call him, and saying that he was not
11 sure I was correct regarding dates. Exhibit D.

12 8. Given attorneys' schedules, it took a few days to connect by phone. I then spoke with Mark
13 Goodman and Craig Sweeney, and explained to them that the automatic stay required that they take
14 affirmative steps to stop the garnishment and restore the withheld funds.

15 9. On June 21, 2019, the date of the next paycheck, Mr. Turner's pay was again shy \$2,543.57
16 for the ongoing wage garnishment. I emailed Mr. Goodman and Mr. Sweeney and requested that they
17 take care of matters immediately. Mr. Goodman responded by stating that he would ask Mr. Sweeney
18 to do so. Exhibit E.

19 10. Mr. Goodman then emailed me to ask me to confirm his assumption that a simple notice to
20 the employer would not suffice. I responded by providing him with case law stating that the creditor
21 has an affirmative duty to release the garnishment. Exhibit F.

22 11. On July 1, I had an exchange with Mr. Sweeney, who had been communicating with Scott
23 Clements, Mr. Turner's attorney in Ohio. Mr. Sweeney had asked Mr. Clements to sign off on a

24 DECLARATION OF ALAN J. WENOKUR - Page 2 of 3
25

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1 proposed agreed order in the Ohio garnishment action that would direct a stay of the garnishment
2 “pending the outcome of said Bankruptcy.” I responded by again stating that the garnishment needed
3 to be released, and all funds improperly garnished needed to be returned to Mr. Turner. I also advised
4 that the creditor needed to act unilaterally and that actions should not be held up based on a perceived
5 need to get the signature of Mr. Turner’s counsel. Exhibit G.

6 12. Mr. Sweeney then sent me a revised form of order that provided that the garnishment was
7 stayed, and that all funds withheld on or after May 31 are to be returned to Mr. Turner. I responded by
8 stating that while that wording was less than ideal, the order would suffice so long as there was no
9 further interference with the paycheck and that the garnishment would get released altogether upon
10 entry of a discharge order. Exhibit H.

11 13. I do not know if this order was ever entered. I have heard nothing further from Mr.
12 Tabatznik’s counsel. But to my and my client’s ongoing frustration, Mr. Turner’s next paycheck on
13 July 5 was garnished, again for \$2,543.57. Exhibit I.

14 Dated July 11, 2019, in Seattle, Washington.

15 */s/ Alan J. Wenokur*

16 Alan J. Wenokur, WSBA # 13679
17 Attorney for Andrew Turner
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24 DECLARATION OF ALAN J. WENOKUR - Page 3 of 3
25

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SEATTLE, WASHINGTON 98101
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206.903.0401 (RIORDAN)

EXHIBIT A

Alan Wenokur

From: Alan Wenokur
Sent: Tuesday, June 4, 2019 1:37 PM
To: Joseph G. Colao
Cc: Mark Goodman (Goodman@capessokol.com)
Subject: RE: Tabatznik v. Turner
Attachments: 341 notice.pdf

Counsel: Andrew Turner filed a Chapter 7 bankruptcy petition on 5/31. A copy of the notice is attached. You will also be receiving a notice from the Court. All litigation against Mr. Turner is now stayed. To the extent there is a wage garnishment still pending, that must be released right away.

Alan Wenokur

From: Joseph G. Colao <jcolao@leaderberkon.com>
Sent: Monday, June 3, 2019 6:59 AM
To: Andrew Turner <andrewturner2@gmail.com>; Alan Wenokur <alan@wrlawgroup.com>
Cc: Mark Goodman (Goodman@capessokol.com) <Goodman@capessokol.com>
Subject: RE: Tabatznik v. Turner

Mr. Turner,

Pursuant to the Court's April 24, 2019 Order, all outstanding documents were to be produced by May 24, 2019. To date, we have yet to receive any additional documents from you. Nor have you requested an extension of time. Accordingly, you are once again in violation of a Court Order. Please advise immediately when documents will be produced.

Please also be advised that all outstanding documents must be produced well in advance of your June 25, 2019 deposition.

Joe.



Joseph G. Colao, Esq.
630 Third Avenue, New York, NY 10017
P 212.486.2400 | F 212.486.3099
leaderberkon.com | [Bio](#) | [vCard](#)

From: Joseph G. Colao
Sent: Wednesday, April 24, 2019 2:30 PM
To: Andrew Turner <andrewturner2@gmail.com>; Alan Wenokur <alan@wrlawgroup.com>
Cc: Mark Goodman (<Goodman@capessokol.com>) <Goodman@capessokol.com>
Subject: Re: Tabatznik v. Turner

EXHIBIT B

Alan Wenokur

From: Andrew Turner <andrewlturner2@gmail.com>
Sent: Friday, June 7, 2019 12:12 PM
To: Alan Wenokur
Subject: Fwd: Check stub

Sent from Andrew L Turner's iPad

Begin forwarded message:

From: Tom Leonard <Tom.Leonard@TrinityRehabServices.com>
Date: June 7, 2019 at 11:32:08 AM PDT
To: Andrew L Turner <andrewlturner2@gmail.com>
Subject: Check stub

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CO. FILE DEPT. CLOCK VCHR. NO. 056
FHC 001741 000100 0000220012 1

TRINITY REHABILITATION SERVICES LLC
72640 FAIRPOINT-NEW ATHENS ROAD
ST.CLAIRSVILLE OH 43950

Earnings Statement



Period Beginning: 05/12/2019
Period Ending: 05/25/2019
Pay Date: 06/07/2019

Taxable Marital Status: Married
Exemptions/Allowances:
Federal: 1
WA: No State Income Tax

ANDREW LLOYD TURNER
13002 SUNRISE DRIVE, NE
BAINBRIDGE ISLAND WA 98110

Earnings	rate	hours	this period	year to date
Regular	14230.76	80.00	14,230.76	170,769.12
Gross Pay			\$14,230.76	170,769.12

Important Notes

7406950069

Deductions	Statutory		
	Federal Income Tax	-2,919.74	35,036.88
	Medicare Tax	-206.34	2,476.15
	Social Security Tax		8,239.80
	WA Paid Family Leave Ins		177.16
	WA Paid Medical Leave Ins		159.48
	Other		
	Garnishment	-2,543.57	7,630.71
	Net Pay	\$8,561.11	
	Checking	-8,561.11	
	Net Check	\$0.00	

EXHIBIT C

Alan Wenokur

From: Alan Wenokur
Sent: Monday, June 10, 2019 9:43 AM
To: Joseph G. Colao; Mark Goodman (Goodman@capessokol.com)
Subject: Turner / Tabatznik STAY OF COLLECTION AND POSTPETITION GARNISHMENT

Counsel: Andrew Turner's paycheck dated June 7, 2019, contained an entry for a \$2,543.57 wage garnishment withholding. This garnishment should have terminated effective May 31, the date of Mr. Turner's Chapter 7 filing. The postpetition garnishment is a violation of the bankruptcy stay. Affirmative steps need to be taken on your part to stop the garnishment and get the funds withheld returned to Mr. Turner. Please give this your immediate attention. Thank you.

Alan J. Wenokur
WENOKUR RIORDAN PLLC
600 Stewart St., Suite 1300
Seattle, WA 98101
(206) 682-6224
www.wrlawgroup.com

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EXHIBIT D

Alan Wenokur

From: Mark E. Goodman <Goodman@capessokol.com>
Sent: Tuesday, June 11, 2019 12:56 PM
To: Alan Wenokur
Subject: RE: Turner / Tabatznik STAY OF COLLECTION AND POSTPETITION GARNISHMENT

Alan, would you please call me to discuss this. I am not sure you are correct regarding the dates. Thanks.

Mark E. Goodman
Senior Counsel
Capes Sokol

Pierre Laclede Center
7701 Forsyth Boulevard, Twelfth Floor
St. Louis, Missouri 63105-1818
P: 314.505.5430
F: 314.505.5431
C: 314.602.9250
capessokol.com



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From: Alan Wenokur <alan@wrlawgroup.com>
Sent: Monday, June 10, 2019 11:43 AM
To: Joseph G. Colao <jcolao@leaderberkon.com>; Mark E. Goodman <Goodman@capessokol.com>
Subject: Turner / Tabatznik STAY OF COLLECTION AND POSTPETITION GARNISHMENT

Counsel: Andrew Turner's paycheck dated June 7, 2019, contained an entry for a \$2,543.57 wage garnishment withholding. This garnishment should have terminated effective May 31, the date of Mr. Turner's Chapter 7 filing. The postpetition garnishment is a violation of the bankruptcy stay. Affirmative steps need to be taken on your part to stop

the garnishment and get the funds withheld returned to Mr. Turner. Please give this your immediate attention. Thank you.

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Seattle, WA 98101
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EXHIBIT E

Alan Wenokur

From: Mark E. Goodman <Goodman@capessokol.com>
Sent: Friday, June 21, 2019 9:35 AM
To: Alan Wenokur
Subject: RE: Turner post-petition check stub

I have asked Craig to take care of this immediately.

Mark E. Goodman
Senior Counsel
Capes Sokol

Pierre Laclede Center
7701 Forsyth Boulevard, Twelfth Floor
St. Louis, Missouri 63105-1818
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From: Alan Wenokur <alan@wrlawgroup.com>
Sent: Friday, June 21, 2019 11:04 AM
To: Mark E. Goodman <Goodman@capessokol.com>; Sweeney, Craig <CSweeney@bricker.com>
Subject: RE: Turner post-petition check stub

Andy Turner tells me that additional money was withheld from his paycheck this week. You really need to take care of this immediately and see that all money withheld postpetition is restored to his wages.

Alan Wenokur

From: Mark E. Goodman <Goodman@capessokol.com>
Sent: Tuesday, June 18, 2019 12:48 PM
To: Sweeney, Craig <CSweeney@bricker.com>
Cc: Alan Wenokur <alan@wrlawgroup.com>
Subject: FW: Turner post-petition check stub

Craig, see below.

Mark E. Goodman
Senior Counsel
Capes Sokol

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From: Alan Wenokur <alan@wrlawgroup.com>
Sent: Tuesday, June 18, 2019 2:32 PM
To: Mark E. Goodman <Goodman@capessokol.com>
Subject: Turner post-petition check stub

Mark—Below is the paystub for pay date 6/7/2019, showing a \$2,543.57 wage garnishment. I don't have Craig Sweeney's email address. Please forward to him. Thank you.

Alan

From: Andrew Turner <andrewturner2@gmail.com>
Sent: Friday, June 7, 2019 12:12 PM
To: Alan Wenokur <alan@wrlawgroup.com>
Subject: Fwd: Check stub

Sent from Andrew L Turner's iPad

Begin forwarded message:


From: Tom Leonard <Tom.Leonard@TrinityRehabServices.com>
Date: June 7, 2019 at 11:32:08 AM PDT
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CO.	FILE	DEPT.	CLOCK	VOHR. NO.	056
FHC	001741	000100		0000220012	1

TRINITY REHABILITATION SERVICES LLC
72640 FAIRPOINT-NEW ATHENS ROAD
ST.CLAIRSVILLE OH 43950

Taxable Marital Status: Married
Exemptions/Allowances:
Federal: 1
WA: No State Income Tax

Earnings Statement 

Period Beginning: 05/12/2019
Period Ending: 05/25/2019
Pay Date: 06/07/2019

ANDREW LLOYD TURNER
13002 SUNRISE DRIVE, NE
BAINBRIDGE ISLAND WA 98110

Earnings	rate	hours	this period	year to date
Regular	14230.76	80.00	14,230.76	170,769.12
Gross Pay			\$14,230.76	170,769.12

Deductions	Statutory	
Federal Income Tax	-2,919.74	35,036.88
Medicare Tax	-206.34	2,476.15
Social Security Tax		8,239.80
WA Paid Family Leave Ins		177.16
WA Paid Medical Leave Ins		159.48
Other		
Garnishment	-2,543.57	7,630.71
Net Pay	\$8,561.11	
Checking	-8,561.11	
Net Check	\$0.00	

Important Notes
7406950069

EXHIBIT F

Alan Wenokur

From: Alan Wenokur
Sent: Friday, June 21, 2019 10:36 AM
To: Mark E. Goodman
Subject: RE: Turner post-petition check stub

That is correct. You need to take affirmative actions to quash the garnishment. The law on this is clear. E.g.:

The scope of the automatic stay is sufficiently broad so as to place an affirmative duty on a creditor garnishing a debtor's wages to release the garnishment upon receiving notice of the debtor's bankruptcy. [*862] *In re Scroggin*, 364 B.R. 772, 779-80 (10th Cir. B.A.P. 2007); *In re Timbs v. Gross*, 178 B.R. 989, 991 (Bankr. E.D. Term. 1994); *In re Dennis*, 17 B.R. 558, 560 (Bankr. M.D.Ga. 1982).

In re Russell, 441 B.R. 859, 861-62 (Bankr. N.D. Ohio 2010)

From: Mark E. Goodman <Goodman@capessokol.com>
Sent: Friday, June 21, 2019 9:38 AM
To: Alan Wenokur <alan@wrlawgroup.com>
Subject: RE: Turner post-petition check stub

I assume that simple notice of the May 31 filing to the employer will not suffice, correct?

Mark E. Goodman
Senior Counsel
Capes Sokol

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Sent: Friday, June 21, 2019 11:37 AM
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Subject: RE: Turner post-petition check stub

Thank you.

From: Mark E. Goodman <Goodman@capessokol.com>
Sent: Friday, June 21, 2019 9:35 AM
To: Alan Wenokur <alan@wrlawgroup.com>
Subject: RE: Turner post-petition check stub

I have asked Craig to take care of this immediately.

Mark E. Goodman
Senior Counsel
Capes Sokol

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Subject: RE: Turner post-petition check stub

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Alan Wenokur

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Sent: Tuesday, June 18, 2019 12:48 PM
To: Sweeney, Craig <CSweeney@bricker.com>
Cc: Alan Wenokur <alan@wrlawgroup.com>
Subject: FW: Turner post-petition check stub

Craig, see below.

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Senior Counsel
Capes Sokol

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Subject: Turner post-petition check stub

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Alan

From: Andrew Turner <andrewturner2@gmail.com>

Sent: Friday, June 7, 2019 12:12 PM

To: Alan Wenokur <alan@wrlawgroup.com>

Subject: Fwd: Check stub

Sent from Andrew L Turner's iPad

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Date: June 7, 2019 at 11:32:08 AM PDT

To: Andrew L Turner <andrewturner2@gmail.com>

Subject: Check stub

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CO. FILE DEPT. CLOCK VCHR. NO. 056
FHC 001741 000100 0000220012 1

TRINITY REHABILITATION SERVICES LLC
72640 FAIRPOINT-NEW ATHENS ROAD
ST. CLAIRSVILLE OH 43950

Earnings Statement



Period Beginning: 05/12/2019
Period Ending: 05/25/2019
Pay Date: 06/07/2019

Taxable Marital Status: Married
Exemptions/Allowances:
Federal: 1
WA: No State Income Tax

ANDREW LLOYD TURNER
13002 SUNRISE DRIVE, NE
BAINBRIDGE ISLAND WA 98110

Earnings	rate	hours	this period	year to date
Regular	14230.76	80.00	14,230.76	170,769.12
Gross Pay			\$14,230.76	170,769.12

Important Notes

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	Social Security Tax		8,239.80
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	WA Paid Medical Leave Ins		159.48
	Other		
	Garnishment	-2,543.57	7,630.71
	Net Pay	\$8,561.11	
	Checking	-8,561.11	
	Net Check	\$0.00	

EXHIBIT G

Alan Wenokur

From: Alan Wenokur
Sent: Monday, July 1, 2019 12:15 PM
To: Sweeney, Craig; Mark E. Goodman
Cc: Clements, Scott; Andrew Turner
Subject: FW: Tabatznik v. Turner [IWOV-Bricker2.FID1651150] [DMC-MAIN.FID2040439]
Attachments: Notice of Bankruptcy.DOCX; Entry of Stay.DOCX

Counsel: Scott Clements forwarded this to me. As I've said before, you need to quash the garnishment such that the money held by the employer post-bankruptcy is restored to Mr. Turner. A "stay" of the garnishment, as I interpret the word "stay," would maintain the status quo including the improper postpetition garnishment of funds. It's not clear to me that your proposed order would accomplish that. Further, this is an act that needs to be taken unilaterally and should not depend on the signature or consent of Mr. Turner's counsel.

Please assure us that this order is going to stop the garnishment and is going to result in the post-bankruptcy garnished funds being restored to Mr. Turner.

Alan

From: Clements, Scott <sclements@dmclaw.com>
Sent: Monday, July 1, 2019 11:29 AM
To: Alan Wenokur <alan@wrlawgroup.com>
Cc: Andrew L Turner (andrewlturner2@gmail.com) (andrewlturner2@gmail.com) <andrewlturner2@gmail.com>; Cozza, Piero <PCozza@dmclaw.com>
Subject: FW: Tabatznik v. Turner [IWOV-Bricker2.FID1651150] [DMC-MAIN.FID2040439]

Alan,

As requested, please see the below email string and attachments. Please let us know how you and Andy would like us to proceed.

Thanks very much,
Scott

Scott D. Clements, Esquire
Shareholder
412-392-5484 Office
888-811-7144 Fax
sclements@dmclaw.com | [Bio/vCard](#)



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have received a message in error, please notify the sender immediately by replying to the message and delete the message from your computer.

From: Cozza, Piero
Sent: Sunday, June 30, 2019 8:12 PM
To: 'Sweeney, Craig' <CSweeney@bricker.com>
Cc: Clements, Scott <sclements@dmclaw.com>; Wilson, Nancy <NWilson@dmclaw.com>; Skipper, Amber <askipper@dmclaw.com>
Subject: FW: Tabatznik v. Turner [IWOV-Bricker2.FID1651150] [DMC-MAIN.FID2040439]

Craig:

Let me talk to Scott Clemons about this and one of us will get back to you. I was out several days last weeks due to a mediation and hearings.

Pete

Piero P. Cozza, Esquire
Shareholder
740-284-1682 Office
888-811-7144 Fax
PCozza@dmclaw.com

From: Sweeney, Craig <CSweeney@bricker.com>
Sent: Tuesday, June 25, 2019 4:00 PM
To: Cozza, Piero <PCozza@dmclaw.com>
Subject: Tabatznik v. Turner [IWOV-Bricker2.FID1651150]

This message originated from outside your organization

Pete,

I have attached draft filings in the above-referenced matter. Shortly after receiving the Judgment Entry in our case, I received a proof of claim form for Mr. Turner. In conjunction with my client's national counsel (and pursuant to the bankruptcy stay), we need to stay the garnishment. I spoke to the Belmont County Clerk of Courts and they indicate that the attached with suffice.

Please let me know if you have any comments or suggestions, and if I have your consent to sign your name "per authorization."

--Craig



Craig E. Sweeney
Of Counsel
Bricker & Eckler LLP | 258 Front Street | Marietta, OH 45750

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EXHIBIT H

Alan Wenokur

From: Alan Wenokur
Sent: Monday, July 1, 2019 12:54 PM
To: Sweeney, Craig; Mark E. Goodman
Cc: Clements, Scott; Andrew Turner
Subject: RE: Tabatznik v. Turner [DMC-MAIN.FID2040439] [IWOV-Bricker2.FID1651150]

While I think you actually need to strike the garnishment proceeding altogether, it looks like this order gets us where we need to be for now. That is, provided that there is no further interference with Mr. Turner's right to a full paycheck going forward.

Once Mr. Turner gets his discharge in bankruptcy, you will be under an affirmative duty at that point to dismiss the garnishment action altogether, without further notice from me. That is, it should not await a final order in the bankruptcy, but a discharge order.

Alan Wenokur

From: Sweeney, Craig <CSweeney@bricker.com>
Sent: Monday, July 1, 2019 12:29 PM
To: Alan Wenokur <alan@wrlawgroup.com>; Mark E. Goodman <Goodman@capessokol.com>
Cc: Clements, Scott <sclements@dmclaw.com>; Andrew Turner <andrewlturner2@gmail.com>
Subject: RE: Tabatznik v. Turner [DMC-MAIN.FID2040439] [IWOV-Bricker2.FID1651150]

Alan,

I have attached a revised Notice and Entry for your review that will facilitate the repayment of the funds garnished post-bankruptcy. Until a final order is issued in the bankruptcy (and in the event of a voluntary dismissal), my client will agree to a stay, rather than an outright dismissal of the garnishment action.

Let me know if the attached meets your client's approval.

--Craig



Craig E. Sweeney

Senior Counsel

Bricker & Eckler LLP | 258 Front Street | Marietta, OH 45750

Direct Dial (740) 374-4405 | csweeney@bricker.com | **v-card** | www.bricker.com

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From: Alan Wenokur <alan@wrlawgroup.com>
Sent: Monday, July 1, 2019 3:15 PM
To: Sweeney, Craig <CSweeney@bricker.com>; Mark E. Goodman <Goodman@capessokol.com>
Cc: Clements, Scott <sclements@dmclaw.com>; Andrew Turner <andrewlturner2@gmail.com>
Subject: FW: Tabatznik v. Turner [IWOV-Bricker2.FID1651150] [DMC-MAIN.FID2040439]

This Message originated outside your organization.

Counsel: Scott Clements forwarded this to me. As I've said before, you need to quash the garnishment such that the money held by the employer post-bankruptcy is restored to Mr. Turner. A "stay" of the garnishment, as I interpret the word "stay," would maintain the status quo including the improper postpetition garnishment of funds. It's not clear to me that your proposed order would accomplish that. Further, this is an act that needs to be taken unilaterally and should not depend on the signature or consent of Mr. Turner's counsel.

Please assure us that this order is going to stop the garnishment and is going to result in the post-bankruptcy garnished funds being restored to Mr. Turner.

Alan

From: Clements, Scott <sclements@dmclaw.com>
Sent: Monday, July 1, 2019 11:29 AM
To: Alan Wenokur <alan@wrlawgroup.com>
Cc: Andrew L Turner (andrewlturner2@gmail.com) (andrewlturner2@gmail.com) <andrewlturner2@gmail.com>; Cozza, Piero <PCozza@dmclaw.com>
Subject: FW: Tabatznik v. Turner [IWOV-Bricker2.FID1651150] [DMC-MAIN.FID2040439]

Alan,

As requested, please see the below email string and attachments. Please let us know how you and Andy would like us to proceed.

Thanks very much,
Scott

Scott D. Clements, Esquire
Shareholder
412-392-5484 Office
888-811-7144 Fax
sclements@dmclaw.com | [Bio/vCard](#)



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have received a message in error, please notify the sender immediately by replying to the message and delete the message from your computer.

From: Cozza, Piero
Sent: Sunday, June 30, 2019 8:12 PM
To: 'Sweeney, Craig' <CSweeney@bricker.com>
Cc: Clements, Scott <sclements@dmclaw.com>; Wilson, Nancy <NWilson@dmclaw.com>; Skipper, Amber <askipper@dmclaw.com>
Subject: FW: Tabatznik v. Turner [IWOV-Bricker2.FID1651150] [DMC-MAIN.FID2040439]

Craig:

Let me talk to Scott Clemons about this and one of us will get back to you. I was out several days last weeks due to a mediation and hearings.

Pete

Piero P. Cozza, Esquire
Shareholder
740-284-1682 Office
888-811-7144 Fax
PCozza@dmclaw.com

From: Sweeney, Craig <CSweeney@bricker.com>
Sent: Tuesday, June 25, 2019 4:00 PM
To: Cozza, Piero <PCozza@dmclaw.com>
Subject: Tabatznik v. Turner [IWOV-Bricker2.FID1651150]

This message originated from outside your organization

Pete,

I have attached draft filings in the above-referenced matter. Shortly after receiving the Judgment Entry in our case, I received a proof of claim form for Mr. Turner. In conjunction with my client's national counsel (and pursuant to the bankruptcy stay), we need to stay the garnishment. I spoke to the Belmont County Clerk of Courts and they indicate that the attached with suffice.

Please let me know if you have any comments or suggestions, and if I have your consent to sign your name "per authorization."

--Craig



Craig E. Sweeney
Of Counsel
Bricker & Eckler LLP | 258 Front Street | Marietta, OH 45750

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EXHIBIT I

CO. FILE DEPT. CLOCK VCHR. NO. 056
FHC 001741 000100 0000260012 1

Earnings Statement



TRINITY REHABILITATION SERVICES LLC
 72640 FAIRPOINT-NEW ATHENS ROAD
 ST.CLAIRSVILLE OH 43950

Period Beginning: 06/09/2019
 Period Ending: 06/22/2019
 Pay Date: 07/05/2019

Taxable Marital Status: Married
 Exemptions/Allowances:
 Federal: 1
 WA: No State Income Tax

ANDREW LLOYD TURNER
13002 SUNRISE DRIVE, NE
BAINBRIDGE ISLAND WA 98110

Earnings	rate	hours	this period	year to date
Regular	14230.76	80.00	14,230.76	199,230.64
Gross Pay			\$14,230.76	199,230.64

Important Notes

7406950069

Deductions	Statutory	
	Federal Income Tax	-2,919.74
	Medicare Tax	-206.34
	Social Security Tax	
	WA Paid Family Leave Ins	
	WA Paid Medical Leave Ins	
	Other	
	Garnishment	-2,543.57
	Net Pay	\$8,561.11
	Checking	-8,561.11
	Net Check	\$0.00

Your federal taxable wages this period are
 \$14,230.76

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TRINITY REHABILITATION SERVICES LLC
 72640 FAIRPOINT-NEW ATHENS ROAD
 ST.CLAIRSVILLE OH 43950

Advice number: 00000260012
 Pay date: 07/05/2019

Deposited to the account of	account number	transit ABA	amount
ANDREW LLOYD TURNER	xxxxxx5111	xxxx xxxx	\$8,561.11

THIS IS NOT A CHECK

NON-NEGOTIABLE